

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

VICTORIA GLOTFELTY,

Plaintiff,

-against-

NORTHSTAR LOCATION SERVICES, LLC,

Defendant.

**VERIFIED COMPLAINT and DEMAND
FOR JURY TRIAL**

NOW COMES Plaintiff, Victoria Glotfelty ("Plaintiff"), by and through her attorneys, Krohn & Moss, Ltd., for his Verified Complaint against Defendant, Northstar Location Services, LLC, ("Defendant"), alleges as follows:

Nature of the Action

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

Parties

2. Plaintiff is a natural person residing in Thurmont, Maryland.
3. Plaintiff is allegedly obligated to pay a debt and is a consumer as defined by 15 U.S.C. § 1692a(3).
4. Defendant is a limited liability company having its principal place of business located in Cheektowaga, Erie County, New York.
5. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a consumer debt from Plaintiff.

6. Defendant acted through its agents, employees, officers, members, directors, heirs, successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

Jurisdiction and Venue

7. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such actions may be brought and heard before “any appropriate United States district court without regard to the amount in controversy.”

8. Because Defendant conducts business and is located in the state of New York, personal jurisdiction is established

9. Venue is proper pursuant to 28 U.S.C. § 1391(b)(1).

Factual Allegations

10. The original creditor of the alleged debt is Bank of America.

11. Defendant constantly and continuously placed collection calls to Plaintiff seeking and demanding payment for an alleged debt.

12. Defendant communicated to third parties, Plaintiff’s, brother-in law and sister-in-law, that Plaintiff allegedly owes a debt.

13. Defendant contacted the above mentioned third parties, regarding Plaintiff’s alleged debt, on more than one occasion.

CLAIM FOR RELIEF

14. Defendant’s violations of the FDCPA include, but are not limited to, the following:

- a. Defendant violated §1692b(1) of the FDCPA by communicating with Plaintiff’s brother-in law and sister-in-law and failing to identify himself and state that he is confirming or correcting location information

- b. Defendant violated §1692b(2) of the FDCPA by communicating with Plaintiff's brother-in law and sister-in-law, and stating that Plaintiff owes a debt;
 - c. Defendant violated §1692b(3) of the FDCPA by communicating with Plaintiff's brother-in law and sister-in-law more than once without permission to do so and without reasonable belief that the earlier response was erroneous or incomplete;
 - d. Defendant violated §1692c(b) of the FDCPA by communicating with third parties, Plaintiff's brother-in law and sister-in-law, in connection with the collection of Plaintiff's alleged debt;
 - e. Defendant violated §1692d of the FDCPA by engaging in conduct the natural consequence of which is to harass, oppress, or abuse any person.
15. Plaintiff is entitled to her attorney's fees and costs incurred in this action.

WHEREFORE, Plaintiff prays that judgment be entered against Defendant for the following:

- (1) Statutory damages of \$1,000.00, pursuant to 15 U.S.C. § 1692k;
- (2) Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
- (3) Awarding such other and further relief as may be just, proper and equitable.

Dated:

7/21/10

KROHN & MOSS, LTD.

By: 

Adam T. Hill

KROHN & MOSS, LTD.

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Attorney for Plaintiff

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that Plaintiff, VICTORIA GLOTFELTY, hereby demands a jury trial in this matter.

VERIFICATION

STATE OF MARYLAND)

:SS.:

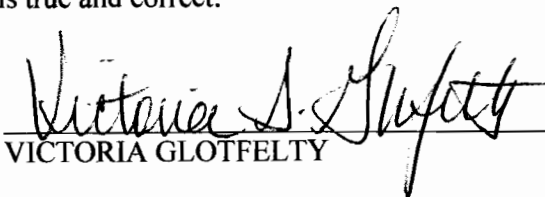
COUNTY OF FREDERICK)

Plaintiff, VICTORIA GLOTFELTY, being duly sworn, deposes and says:

1. I am the Plaintiff in this civil proceeding;
2. I have read the foregoing Verified Complaint prepared by my attorneys and I believe that all of the facts contained therein are true and correct, to the best of my knowledge, and formed after reasonable inquiry;
3. I believe that this civil Complaint is well ground in fact and warranted by existing law or by a good faith argument for the extension, modification or reversal of existing law;
4. I believe that this civil Complaint is not interposed for any improper purpose, such as to harass any Defendant(s), cause unnecessary delay to any Defendant(s), or create a needless increase in the cost of litigation to any Defendant(s), named in the Complaint.
5. I have filed this Complaint in good faith and solely for the purposes set forth in it;
6. Each and every exhibit I have provided to my attorneys, which has/have been attached to this Complaint, is/are true and correct copy(s) of the original(s); and
7. Except for clearly indicated redactions made by my attorneys where appropriate, I have not altered, changed, modified or fabricated the exhibit(s), except that some of the attached may contain some of my own handwritten notations.

Pursuant to 28 U.S.C. § 1746(2), I, VICTORIA GLOTFELTY, hereby declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Dated: 7-30-10


VICTORIA GLOTFELTY